UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

SONY MUSIC ENTERTAINMENT, et al.,

Plaintiffs,

v.

Case No. 1:18-cv-00950-LO-JFA

COX COMMUNICATIONS, INC., et al.,

Defendants.

[PROPOSED] ORDER

UPON CONSIDERATION of Defendants' Motion to Seal (ECF No. 331), pursuant to Rule 26 of the Federal Rules of Civil Procedure and Local Civil Rule 5, which seeks an order allowing Cox to maintain under seal a portion of Defendants' Memorandum of Law in Support of their Motion for Summary Judgment (ECF No. 330) ("Summary Judgment Motion"); portions of the Declaration of Thomas Kearney in Support of Defendants' Motion for Summary Judgment (ECF No. 330-1) ("Summary Judgment Declaration"); exhibits to the Summary Judgment Declaration; portions of Cox's Motion to Exclude the Testimony of Putative Expert William H. Lehr, Ph.D. (ECF No. 308) ("Lehr Motion"); exhibits to the Declaration of Thomas M. Buchanan in Support of the Lehr Motion (ECF No. 308-1) ("Lehr Motion Declaration Exhibits"), portions of Cox's Motion to Exclude the Testimony of Putative Expert George P. McCabe, Ph.D. (ECF No. 302) ("McCabe Motion"), exhibits to the Declaration of Thomas M. Buchanan in Support of the McCabe Motion (ECF No. 302-1) ("McCabe Motion Declaration Exhibits"), portions of Cox's Motion to Exclude the Testimony of Putative Expert Terrence P. McGarty (ECF No. 305) ("McGarty Motion"), exhibits to the Declaration of Thomas M. Buchanan in Support of the McGarty Motion (ECF No. 305-1) ("McGarty Motion Declaration Exhibits"), portions of Cox's Motion to Exclude the Testimony of Putative Expert Barbara Frederiksen-Cross (ECF No. 311) ("Frederiksen-Cross Motion"), portions of the Declaration of Cesie

C. Alvarez in Support of the Frederiksen-Cross Motion (ECF No. 311-1) ("Frederiksen-Cross Motion Declaration"), and exhibits to the Frederiksen-Cross Motion Declaration ("Frederiksen-Cross Motion Declaration Exhibits"), the Motion is Hereby granted, in accordance with the chart below:

Bates Number/Title	Designating Party	Location	Granted
The deposition transcript of	Plaintiffs	Summary Judgment	Y/N
Alasdair McMullan		Motion, Exhibit 6	
The deposition transcript of	Plaintiffs	Summary Judgment	Y/N
Steven Poltorak		Motion, Exhibit 8	
The deposition transcript of	Plaintiffs	Summary Judgment	Y / N
Plaintiffs' Expert Barbara		Motion, Exhibit 2;	
Frederiksen-Cross		Frederiksen-Cross Motion	
		Declaration, Exhibit F	
The Expert Report of Plaintiffs'	Plaintiffs	Summary Judgment	Y / N
Expert Barbara Frederiksen-Cross		Motion, Exhibit 13;	
		McCabe Motion	
		Declaration, Exhibit H;	
		Frederiksen-Cross Motion	
		Declaration, Exhibit D	
The Supplemental and Reply	Plaintiffs	Summary Judgment	Y / N
Report of Plaintiffs' Expert		Motion, Exhibit 14;	
Barbara Frederiksen-Cross		McCabe Motion	
		Declaration, Exhibit K;	
		Frederiksen-Cross Motion	
		Declaration, Exhibit E	
The deposition transcript of	Plaintiffs	Lehr Motion Declaration,	Y / N
William H. Lehr, Ph.D		Exhibit D	
The Expert Report of Plaintiffs'	Plaintiffs	Summary Judgment	Y / N
Expert William Lehr		Motion, Exhibit 15;	
		Lehr Motion Declaration,	
		Exhibit A	
The Expert Rebuttal Report of	Plaintiffs	Lehr Motion Declaration,	Y/N
Plaintiffs' Expert William Lehr		Exhibit B	
The Expert Reply Report of	Plaintiffs	Lehr Motion Declaration,	Y / N
Plaintiffs' Expert William Lehr		Exhibit C	
The deposition transcript of	Plaintiffs	Summary Judgment	Y/N
expert George McCabe		Motion, Exhibit 5;	
		McCabe Motion	
		Declaration, Exhibit D	
The Expert Report of George P.	Plaintiffs	Summary Judgment	Y/N
McCabe		Motion, Exhibit 16;	
		McCabe Motion	
		Declaration, Exhibit B;	

Bates Number/Title	Designating Party	Location	Granted
		McGarty Motion	
		Declaration, Exhibit H	
The Expert Supplemental and	Plaintiffs	McCabe Motion	Y / N
Reply Report of George P.		Declaration, Exhibit C	
McCabe, Ph.D.			
The deposition transcript of	Plaintiffs	McGarty Motion	Y / N
Terrence P. McGarty, Ph.D.		Declaration, Exhibit C	
The Expert Report of Plaintiffs'	Plaintiffs	Summary Judgment	Y / N
Expert Terrence P. McGarty		Motion, Exhibit 17;	
		McGarty Motion	
		Declaration, Exhibit A	
The Expert Supplemental and	Plaintiffs	McGarty Motion	Y/N
Reply Report of Plaintiffs' Expert		Declaration, Exhibit B	
Terrence P. McGarty			
Plaintiffs_00286430	Plaintiffs	Summary Judgment	Y / N
		Motion, Exhibit 26, 26A,	
		27, 28;	
Plaintiffs_00104130	Plaintiffs	Summary Judgment	Y / N
		Motion, Exhibit 29	
Plaintiffs_00112675	Plaintiffs	Summary Judgment	Y / N
		Motion, Exhibit 29	
Plaintiffs_00148396	Plaintiffs	Summary Judgment	Y/N
		Motion, Exhibit 29	
Plaintiffs_00148541	Plaintiffs	Summary Judgment	Y/N
		Motion, Exhibit 29	
Plaintiffs_00200764	Plaintiffs	Summary Judgment	Y/N
71 1 100 00112112	T. 1 . 100	Motion, Exhibit 29	/
Plaintiffs_00113142	Plaintiffs	Summary Judgment	Y/N
	-4 1 100	Motion, Exhibit 30	/
Plaintiffs_00175863	Plaintiffs	Summary Judgment	Y/N
	-1 1 100	Motion, Exhibit 31	/
Plaintiffs_00137124	Plaintiffs	Summary Judgment	Y/N
		Motion, Exhibit 32	
Plaintiffs_00286431	Plaintiffs	Summary Judgment	Y/N
		Motion, Exhibit 39	
The deposition transcript of	The Recording	Summary Judgment	Y/N
Steven Marks	Industry	Motion, Exhibit 4	
	Association of		
	America		
DIA 4 00000000	("RIAA")		
RIAA_00000003	RIAA	Summary Judgment	
P 1 7 G 26	77 / 37	Motion, Exhibit 22	
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit K			

Bates Number/Title	Designating Party	Location	Granted
RIAA_0000017	RIAA	Summary Judgment	Y/N
		Motion, Exhibit 23	
RIAA_00000030	RIAA	Summary Judgment	Y/N
		Motion, Exhibit 24A	
RIAA_00000045	RIAA	Summary Judgment	Y/N
		Motion, Exhibit 24B	
RIAA_00127769	RIAA	Summary Judgment	
		Motion, Exhibit 25;	
McCabe Motion Declaration, Exhibit F	Y/N		
The deposition transcript of Sam	MarkMonitor,	Summary Judgment	Y/N
Bahun	Inc.	Motion, Exhibit 1	
The deposition transcript of	MarkMonitor,	Summary Judgment	
Slawomir Paszkowski	Inc.	Motion, Exhibit 7, 38;	
McCabe Motion Declaration,			
Exhibit E;			
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit H			
MM000236	MarkMonitor,	Summary Judgment	
	Inc.	Motion, Exhibit 37, 37A;	
McCabe Motion Declaration,			
Exhibit G			
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit C			
MM000189	MarkMonitor,	Summary Judgment	
	Inc.	Motion, Exhibit 41;	
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit J			
The deposition transcript of	Audible Magic	Summary Judgment	
Vance Ikezoye	Corporation	Motion, Exhibit 3;	
McCabe Motion Declaration,			
Exhibit I;	37 / NT		
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit I	Andible Meete	Carana Indana	
Audible-Magic-0000003	Audible Magic	Summary Judgment	
Frederiksen-Cross Motion	Corporation Y/N	Motion, Exhibit 36;	
Declaration, Exhibit M	1 / 14		
REV00003444/AUDIBLE-	Audible Magic	Summary Judgment	Y/N
MAGIC-0007657	Corporation	Motion, Exhibit 40	1 / 1
The deposition transcript of	Defendants	Summary Judgment	Y/N
Matthew Carothers	Detelluality	Motion, Exhibit 9	1 / 1
The deposition transcript of Paul	Defendants	Summary Judgment	Y/N
Jarchow	Detendants	Motion, Exhibit 10	1 / 14
Jaichow	1	MICHOII, EMHOR IV	L

Bates Number/Title	Designating Party	Location	Granted
The deposition transcript of	Defendants	Summary Judgment	Y / N
Sanford Mencher		Motion, Exhibit 11	
The deposition transcript of Sidd	Defendants	Summary Judgment	
Negretti		Motion, Exhibit 12;	
Lehr Motion Declaration, Exhibit	Y/N		
J			
The deposition transcript of Linda	Defendants	Summary Judgment	Y/N
Trickey		Motion, Exhibit 43;	
The Rebuttal Expert Report of	Defendants	Summary Judgment	
Cox's Expert Dr. Nick Feamster		Motion, Exhibit 18;	
McCabe Motion Declaration,			
Exhibit J			
Frederiksen-Cross Motion	Y/N		
Declaration, Exhibit G			
The Rebuttal Expert Report of	Defendants	Summary Judgment	
Cox's Expert Dr. Kevin Almeroth		Motion, Exhibit 19;	
McGarty Motion Declaration,	Y/N	Tretten, Emmer 17,	
Exhibit E			
COX SONY 00515537	Defendants	Lehr Motion Declaration,	Y/N
CON_501(1_0051555)	Detendants	Exhibit E	1 / 1
The Rebuttal Expert Report of	Defendants	Lehr Motion Declaration,	+
Lynne J. Weber, Ph.D.	Detendants	Exhibit G;	
McGarty Motion Declaration,	Y/N	Zamen G,	
Exhibit D	171		
Reply Report of Christian	Defendants	Lehr Motion Declaration,	Y/N
Tregillis	Detellound	Exhibit H	
COX SONY 00097360	Defendants	Summary Judgment	Y/N
2011_501(1_00057500	Detendants	Motion, Exhibit 44	
COX_SONY_00097361	Defendants	Summary Judgment	Y/N
CON_5011 _0007/501	Defendants	Motion, Exhibit 45	1 / 1
COX_SONY_00097362	Defendants	Summary Judgment	Y/N
COX_501\1_0007/502	Detendants	Motion, Exhibit 46	1 / 1
COX SONY 00097363	Defendants	Summary Judgment	Y/N
COX_301\1_00097303	Defendants	Motion, Exhibit 47	1 / 1
COV SONV 00007364	Defendants	Summary Judgment	Y/N
COX_SONY_00097364	Detelidalits	Motion, Exhibit 48	1 / 1
COV SONV 00007265	Defendants	Summary Judgment	Y/N
COX_SONY_00097365	Detelidants	Motion, Exhibit 49	I / IN
COV SONIV 00007266	Defendants	,	V/N
COX_SONY_00097366	Defendants	Summary Judgment	Y/N
CON CONT. 00007247	D.C. 1. 4	Motion, Exhibit 50	37 / 37
COX_SONY_00097367	Defendants	Summary Judgment	Y/N
	1	Motion, Exhibit 51	

	ENTERED this	day of September, 2019.
Alexandria, Virginia		
		The Honorable Liam O'Grady United States District Judge
		Eastern District of Virginia